

1 BRIAN D. HENRI (State Bar No. 200205)
2 brianhenri@henrilg.com

3 **HENRI LAW GROUP**

640 W. California Ave, Suite 210

Sunnyvale, California -94806

Telephone: (650) 614-5807

Facsimile: (650) 618-1937

5 AUSTIN TIGHE (*admitted pro hac vice*)

austin@feazell-tighe.com

6 **FEAZELL & TIGHE LLP**

6618 Sitio Del Rio Boulevard

Building C-101

Austin, Texas 78730

Telephone: (512) 372-8100

Facsimile: (512) 372-8140

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MICHAEL E. DAVIS, aka TONY DAVIS,
VINCE FERRAGAMO, and BILLY JOE
DUPREE, on behalf of themselves and all
others similarly situated,

Plaintiffs,

vs.

ELECTRONIC ARTS, INC.,

Defendant.

CASE NO. 10-cv-3328 RS

**STIPULATION AND ~~[PROPOSED]~~
ORDER RE CONTINUING HEARING
DATE AND SETTING BRIEFING
SCHEDULE FOR PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION AND EA'S
MOTION FOR SUMMARY JUDGMENT**

1 Pursuant to Local Rule 6-2, the parties hereby submit this stipulated request for an Order
2 continuing the hearing date and setting the briefing schedule on Plaintiffs Michael E. Davis's,
3 Vince Ferragamo's, and Billy Joe Dupree's ("Plaintiffs") Motion for Class Certification (Dkt. No.
4 332) and defendant Electronic Arts Inc.'s ("EA") Motion for Summary Judgment ("MSJ") (Dkt.
5 345).

6
7 WHEREAS, on January 26, 2018 Plaintiffs filed a motion to certify the class. (Dkt. No.
8 332).

9 WHEREAS, on February 9, 2018, this Court issued an Order directing the parties to
10 "negotiate a mutually-agreeable schedule for briefing the summary judgment motion and motion
11 for class certification, with condition that all briefing be completed no later than two weeks prior
12 to the hearing. (Dkt. No. 342).

13 WHEREAS, on February 16, 2018, EA filed its motion for Summary Judgement and
14 noticed the motion for hearing on April 19, 2018. (Dkt. No. 345).

15 WHEREAS, on February 28, 2018, this Court issued an Order continuing the hearing on
16 Plaintiffs' motion to certify the Class to April 19, 2018. (Dkt. No. 347).

17 WHEREAS, the parties have met and conferred and negotiated a briefing schedule and
18 confirmed the Court's availability for hearing Plaintiffs' motion to certify the class and EA's
19 motion for summary judgment on April 26, 2018, at 1:30 p.m.

20 THEREFORE, the parties, by and through their undersigned counsel, hereby stipulate and
21 respectfully request as follows:

22 **STIPULATION**

23 1. The hearings on Plaintiffs' motion to certify the class and EA's motion for
24 summary judgment be continued for one week to April 26, 2018, at 1:30 p.m.

25 2. Plaintiffs' Opposition to EA's motion for summary judgment is due March 29,
26 2018.

27 3. The reply briefs on Plaintiffs' motion to certify the class and EA's motion for
28 summary judgment are due on April 12, 2018.

1 Both parties agree to the stipulation as indicated by their signatures below. The parties
2 respectfully request that the Court approve the stipulation. A proposed Order is filed herewith.

3

4 Dated: March 19, 2018

HENRI LAW GROUP

5

6

/s/ Brian D. Henri

BRIAN D. HENRI

7

Attorneys for Plaintiffs MICHAEL

8

E. DAVIS, VINCE FERRAGAMO, and

9

BILLY JOE DUPREE

10

11 Dated: March 19, 2018

KEKER, VAN NEST, & PETERS, LLP

12

13

/s/ R. James Slaughter

R. JAMES SLAUGHTER

14

Attorneys for Defendant

15

ELECTRONIC ARTS INC.

16

17

18

19

20

21

22

23

24

25

26

27

28

1
2 **~~PROPOSED~~ ORDER**

3 The Court, having considered the above joint request and good cause appearing therefore,
4 HEREBY ORDERS as follows:

- 5 1. The hearings on Plaintiffs' motion to certify the class and EA's motion for summary
6 judgment scheduled for April 19, 2018, at 1:30 p.m. are hereby continued to April 26,
7 2018 at 1:30 p.m.
- 8 2. The parties negotiated briefing schedule is approved. Plaintiffs' opposition to EA's
9 motion for summary judgment is due March 29, 2018. The reply briefs on Plaintiffs'
10 motion to certify the class and EA's motion for summary judgment shall be filed no
11 later than April 12, 2018.

12 PURSUANT TO PARTIES STIPULATION, IT IS SO ORDERED.

13
14 Dated: 3/19, 2018

15
16
17 

18 THE HONORABLE RISHARD SEEBORG
19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA